
**CHARLES COUNTY
MUNICIPAL SEPARATE STORM
SEWER SYSTEM (MS4) PROGRAM
INSPECTION REPORT**

September 2013

**Office of Compliance and Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460**

**U.S. Environmental Protection Agency, Region 3
Water Protection Division
Office of NPDES Enforcement (3WP42)
1650 Arch Street
Philadelphia, PA 19103**

(This page intentionally left blank.)

EXECUTIVE SUMMARY

From June 25 through 26, 2013, an EPA Inspection Team comprising staff from the U.S. Environmental Protection Agency (EPA) Region 3, Maryland Department of the Environment (MDE), and EPA's contractor, Eastern Research Group, Inc. (ERG), inspected the municipal separate storm sewer system (MS4) program of Charles County.

The purpose of this inspection was to obtain information that will assist EPA in assessing Charles County's compliance with the requirements of its Maryland Pollution Discharge Elimination System Permit Number MD0068365, as well as the implementation status of its current MS4 program. Table 1 below summarizes the permit requirements and the observations made by the inspection team.

Table 1. Summary of Permit Requirements and Inspection Observations

Observations	
Part III.C.2: Database Identifying Major Outfalls	Observation 1: At the time of the inspection, Charles County did not have a complete database identifying all major outfalls and stormwater system features.
Part III.E: Management Programs	Observation 2: Charles County continues to work on addressing issues identified by MDE during MDE's 2011 review of Charles County's erosion and sediment control program.
	Observation 3: Charles County does not appear to have begun conducting responsible personnel certification classes per MDE's program review.
Part III.E.1: Stormwater Management Program	Observation 4: At the time of the inspection, Charles County was not inspecting all of their approximately 660 stormwater management structures located on approximately 382 SWM sites within the Development District on a triennial basis.
Part III.E.2: Illicit Connection Detection and Elimination	Observation 5: It appears that Charles County is not ensuring that all non-stormwater and non-permitted discharges to the MS4 are eliminated.

TABLE OF CONTENTS

	Page
INTRODUCTION	1
CHARLES COUNTY BACKGROUND	3
INFORMATION OBTAINED RELATIVE TO PERMIT REQUIREMENTS	3
Part III.C.2 – Database Identifying Major Outfalls	4
Part III.E – Management Programs.....	4
Part III.E.1 – Stormwater Management Program.....	6
Part III.E.2 – Illicit Connection Detection and Elimination.....	9
Appendix 1: NPDES Permit (#MD0068349)	
Appendix 2: Inspection Schedule	
Appendix 3: Sign-In Sheet	
Appendix 4: Exhibit Log	
Appendix 5: Photo Log	
Appendix 6: Document Log (Documents available on Compact Disc)	
Appendix 7: Compliance Assistance and/or Suggestions for Program Improvements	

(This page intentionally left blank.)

I. INTRODUCTION

From June 25 through 26, 2013, an EPA Inspection Team comprising staff from the U.S. Environmental Protection Agency (EPA) Region 3, Maryland Department of the Environment (MDE), and EPA's contractor, Eastern Research Group, Inc. (ERG), inspected the municipal separate storm sewer system (MS4) program of Charles County. Discharges from Charles County's MS4 are regulated by Maryland Pollution Discharge Elimination System Permit Number MD0068365 (the Permit), which is included in Appendix 1. Two representatives from the Virginia Department of Environmental Quality (DEQ) shadowed the EPA and ERG inspectors during the inspection as a training exercise for inspections that will be performed as a part of Virginia's MS4 program.

The purpose of this inspection was to obtain information that will assist EPA in assessing Charles County's compliance with the requirements of the Permit, as well as the implementation status of its current MS4 program. The inspection schedule is presented in Appendix 2.

The EPA Inspection Team obtained its information through a series of interviews with representatives from Charles County, along with a series of site visits, record reviews, and field verification activities. The primary representatives involved in the inspection were the following:

Charles County
Representatives:

Department of Planning and Growth Management (PGM)

Mr. Steve Ball, Planning Director of Planning Division
Ms. Aimee Dailey, Planner
Mr. Chuck Donaldson, Inspector Superintendent
Mr. Reed Faasen, Inspection & Enforcement Manager
Mr. Glenn Gorman, GIS
Mr. Bob Harrington, Engineer
Mr. Eddie Henderson, Inspector
Mr. Robert Martin, Inspector Supervisor
Mr. Charles Rice, Program Manager
Mr. Ray Shumaker, Inspector Superintendent
Mr. Michael Snyder, Project Manager
Mr. John Stevens, Chief of Capital Services
Mr. Art Swann, Program Manager
Mr. Frank Ward, Chief of Construction Permits and Inspection Services
Ms. Karen Wigger, Planner
Mr. Paul Zielinski, Inspector

Soil Conservation District (SCD)

Mr. Luis Dieguez, District Manager
Mr. John Downs, Planning Technician

County Administrative Office (CAO)

Mr. Matthew Clagad, Associate County Attorney

Division of Public Works (DPW)

Mr. Robert Curtin, Bridge Management
Mr. Dennis Fleming, Chief of Environmental Resources
Mr. Bill Shreve, Director of Public Works
Mr. Steve Staples, Chief of County Roads

Mr. Olin Straus, Engineer II

Spatial Systems Associates

Representatives: Mr. Patrick McLoughlin, Consultant

Vista Design, Inc.

Representatives: Mr. Richard Polk

Garlyn Environmental
Services, Inc.

Representatives: Mr. Gary Davis, Inspector

KCI Technologies

Representatives: Mr. Nathan Drescher, Consultant
Mr. Mike Pieper, Environmental Scientist
Mr. James Tomlinson, Consultant

EPA Representatives: Mr. Matt Colip, NPDES Enforcement Officer
Ms. Kyle Zieba, NPDES Enforcement Officer

MDE:

Representatives: Ms. Debbie Cappuccitti

VA DEQ Representatives: Ms. Kelsey Brooks, MS4 Inspection & Compliance
Mr. Derick Winn, MS4 Permit Writer

EPA Contractors: Ms. Kavya Kasturi, ERG
Ms. Lauren Scott, ERG
Ms. Daisy Wang, ERG
Ms. Kathleen Wu, ERG

A complete list of inspection participants is included in Appendix 3.

During the inspection, the EPA Inspection Team obtained documentation regarding compliance with the Permit. Pertinent information may have been obtained prior, and/or after meeting with Charles County staff during the physical inspection, and is presented in this report as observations. The presentation of inspection observations in this report does not constitute a formal compliance determination or notice of violation. All referenced documentation is provided in Appendix 4 and photographs taken during the inspection are provided in Appendix 5. A complete list of documents obtained is provided as a Document Log in Appendix 6.

This report identifies Permit requirements with specific sections cited and observations made during the inspection. The format of this report follows the numeric system used in the Permit and is sequential. Sections of the Permit are restated with observations about those requirements listed below.

Additionally, Appendix 7 provides compliance assistance and/or suggestions for MS4 program improvement.

II. CHARLES COUNTY BACKGROUND

Charles County has been developing and implementing its MS4 program since 1997. Charles County's coverage under the National Pollutant Discharge Elimination System (NPDES) permit program became effective on July 31, 2002 with an expiration date of July 31, 2007. MDE has not issued Charles County a new permit and, by default, the Permit has been administratively extended.

Charles County encompasses approximately 292,960 acres of land, and is bordered on the west and south by the Potomac River, on the north by Prince George's County, and on the east by Calvert County and Saint Mary's County. The total population of Charles County is estimated to be 150,592 people in 2012¹. The population of its Metropolitan Statistical Area (MSA) of Washington-Arlington-Alexandria, DC-VA-MD-WV is estimated to be 5,582,170 in 2010². Charles County's MS4 permit is only applicable in the Development District and does not cover the entire county (see Exhibit 1 in Appendix 4). The population in the Development District is estimated to be 90,243 people in 2010. The Development District MS4 discharges into the following receiving waters, which are each also major watersheds: Mattawoman Creek, Zekiah Swamp, Port Tobacco Creek, and the Potomac River.

Currently Charles County has approximately 40 staff including 11 inspectors to implement the MS4 program. Charles County also uses the services of contractors, including:

- Garlyn Environmental Services, Inc. and independent consultants for inspections;
- KCI Technologies for illicit discharge detection and elimination (IDDE) monitoring and outfall screening;
- Spatial Systems Associates for geographic information systems (GIS); and
- Vista Design, Inc for watershed restoration support.

Based on Charles County's 2012 NPDES Annual Report (see Exhibit 2 in Appendix 4), Charles County had an Environmental Service Fee NPDES Allocation of \$12 per improved property, which provided \$613,290 in revenue for the program in 2012. Based on Charles County's 2012 NPDES Annual Report (see Exhibit 2 in Appendix 4), Charles County had Recordation Fee of \$117 per lot, which provided \$83,187 in revenue for the program in 2012. EPA was verbally told by the county that the 2012 and 2013 fiscal year NPDES operating budgets were \$744,177 and \$1,032,300, respectively. Funding for watershed restoration projects is provided through the county's Capital Improvements Program. The county had a budget of \$442,000,000 for the 2012 fiscal year³.

III. INFORMATION OBTAINED RELATIVE TO PERMIT REQUIREMENTS

Dry weather conditions were experienced throughout most of the inspection activities. Weather history reports indicated that there was no precipitation in Charles County during the field work component of the inspection activities. In addition, the weather history reports indicated that approximately 0.17 of precipitation fell during the three day period prior to the inspection and approximately 1.07 fell during the three day period immediately following the inspection.

¹ <http://quickfacts.census.gov/qfd/states/24/24017.html>.

² <http://diversitydata.sph.harvard.edu/Data/Profiles/Show.aspx?loc=1428>.

³ http://www.charlescounty.org/fs/budget/budbook/2012/001_Budget_Message.pdf.

Part III.C.2 – Database Identifying Major Outfalls

By 7/31/2003, Charles County shall submit its database identifying major outfalls. Data shall be submitted on CD-ROM(s) and include all major outfalls, associated inlets, appurtenant conveyances, drainage areas, and private storm drain systems.

Observation 1: At the time of the inspection, Charles County did not have a complete database identifying all major outfalls and stormwater system features. The county's 2012 Annual Report stated on page 5 that "This information was included in the County's June 2002 to July 2003 annual report" (see Exhibit 3 in Appendix 4). The EPA Inspection Team was told that the county has not mapped all outfalls. Approximately 163 major outfalls have been mapped. The county considers outfalls with a diameter greater than 12 inches (industrial) and 36 inches (commercial or residential) to be "major". In addition, data from approximately 500 of 1,500 as-builts have been input into GIS so far, with the remaining 1,000 as-builts dating back to the 1980s. Additional outfalls have been discovered during outfall inspections and as-built reviews. Ms. Karen Wigger stated that the county's goal is to map all outfalls and stormwater management (SWM) structures within 5 years from present. The EPA Inspection Team was told that data from approximately 2,600-2,700 construction plans without as-builts will eventually need to be input into GIS as well.

Part III.E – Management Programs

The following management programs shall be implemented within the Development District of Charles County. These programs are designed to control stormwater discharges to the maximum extent practicable and shall be maintained for the term of this permit such that they become part of the routine operation of Charles County. Charles County shall address any needed program improvements identified as a result of periodic evaluation by MDE and annual self-assessment.

Observation 2: During MDE's 2011 review of Charles County's erosion and sediment control (E&S) program, MDE identified the following recurring maintenance items (see Exhibit 4 in Appendix 4):

- Erosion repairs for swales and inflow protection; and
- Lack of stabilization of inactive areas.

MDE's review documentation stated that Charles County was able to bring all sites into compliance.

During the EPA inspection on June 25, 2013, the EPA Inspection Team visited the New High School construction site, located on Piney Church Road in Waldorf, MD and made the following observations:

- A swale leading to Basin A, an existing stormwater management wet pond located offsite, was eroded (see Photographs 1 and 2 in Appendix 5). Sediment was located on top of vegetation adjacent to the eroded

area. E&S plan sheet C-8.20 requires sod stabilization for the swale (see Exhibit 5 in Appendix 4);

- Five unstabilized, uncovered stockpiles were located on site (see Photographs 3 and 4 in Appendix 5). Erosion rills were visible on the stockpiles. Mr. Chuck Donaldson, a county E&S inspector, stated that the stockpile located on the perimeter of the site had been there since December 2012 (see Photograph 5 in Appendix 5);
- The inflow point from the eastern swale to Sediment Trap 3 had collapsed (see Photograph 6 in Appendix 5). Sediment accumulation was present in the pond and the water was turbid; and
- The southern swale to Sediment Basin 1 was eroded. Sediment accumulation was present (see Photograph 7 in Appendix 5).

The EPA Inspection Team formally requested all inspection reports and follow up documentation for the New High School construction site. No reports dated between January 3, 2013 and June 25, 2013 were received (see Observation 15 in Appendix 7). None of the items above were identified in the two inspection reports completed prior to the EPA inspection (see Exhibit 6 in Appendix 4). The items are identified in the construction punch list dated June 26, 2013 and an inspection report dated July 10, 2013 stated that all items listed above had been resolved (see Exhibit 6 in Appendix 4).

The EPA Inspection Team also visited the Fieldside Parcels C & E construction site, located on Piney Church Road in Waldorf, MD on June 25, 2013. The EPA Inspection Team observed the following:

- Sediment accumulation was present on the riprap and in the eastern swale leading to Sediment Trap 1 (see Photograph 8 in Appendix 5).
- Matting was not attached to the slopes of the western swale leading to Sediment Trap 1 and erosion was visible (see Photograph 9 in Appendix 5).
- A swale leading toward the northern edge of the site was not stabilized and erosion rills were visible (see Photographs 10 and 11 in Appendix 5). Straw was visible along the sides of the eroded area. Riprap was full of sediment and displaced (see Photograph 12 in Appendix 5). Sediment was present outside of the silt fence near the bottom of the swale (see Photograph 13 in Appendix 5). Mr. Eddie Henderson, one of the Charles County inspectors for the site, stated that stabilization of the swale had been a recurring issue and that approximately two weeks prior to the EPA inspection; the site had been asked to perform a soil analysis to determine why the area was not remaining stabilized. After the EPA inspection, Charles County provided the soils analysis, dated

June 25, 2013, and the site's consulting engineer's recommended treatment plan, dated July 23, 2013 (see Exhibit 7 in Appendix 4).

- A swale leading from the building areas to Existing Sediment Basin 2/Pond 5 was not stabilized and erosion was visible (see Photographs 14 and 15 in Appendix 5). Additionally, the area around the swale was not stabilized and erosion rills were visible.

The EPA Inspection Team formally requested all inspection reports and follow up documentation for the Fieldside Parcels C & E construction site. The county provided inspection reports and follow up documentation dated March 22, 2013 through July 1, 2013 (see Exhibit 8 in Appendix 4). A construction punch list dated April 5, 2013 required reinstallation of the matting on the temporary swales by April 9, 2013. An inspection report dated April 10, 2013 stated that the side slopes of the temporary swale had not yet been stabilized and an inspection report dated April 12, 2013 does not comment on the stabilization status of the temporary swales. An additional construction punch list dated April 25, 2013 identified that stabilization and erosion repair of the temporary swales, as well as restabilization of the temporary swales was required. The April 25, 2013 punch list stated that no work other than sediment and erosion control was to take place until all items were complete and a passing re-inspection takes place. Charles County did not provide any documentation demonstrating that the items on the April 25, 2013 punch list were completed. After the inspection conducted with the EPA inspection team, a construction punch list dated June 27, 2013 was issued that required cleaning and stabilization of the swales and stabilization of inactive areas by July 5, 2013. An inspection report dated July 1, 2013 stated that all work beside stabilization was complete. Additionally a stop work order and new construction punch list requiring stabilization was issued on July 1, 2013.

Observation 3: In MDE's review of Charles County's 2011 Annual Report, MDE stated that Charles County should consider performing their own responsible personnel certification classes (see Exhibit 9 in Appendix 4). At the time of the EPA inspection, Charles County stated that they were not currently performing their own responsible personnel certification classes.

Part III.E.1 – Stormwater Management Program

Charles County shall maintain an acceptable stormwater management program in accordance with the Environment Article, Title 4, Subtitle 2, Annotated Code of Maryland. At a minimum, Charles County shall complete the following:

- a. Conduct preventative maintenance inspections of all stormwater management facilities at least on a triennial basis. Documentation identifying the facilities inspected, the number of maintenance inspections, follow-up inspections, and enforcement action(s) used to facilitate inspection order compliance, maintenance inspection schedules, and any other relevant information shall be submitted in the county's annual reports;

- b. Implement the stormwater management design policies, principles, methods, and practices found in the *2000 Maryland Stormwater Design Manual* and COMAR;
- c. Track the progress toward satisfying Part III.E.1.b. above; and
- d. Report annually the modifications needed to address problems associated with implementing the *2000 Maryland Stormwater Design Manual* in Charles County.

Observation 4: At the time of the inspection, Charles County was not inspecting all of their approximately 660 SWM structures located on approximately 382 sites within the Development District on a triennial basis. The “Urban Best Management Practice (BMP)” tracking sheet provided by the county indicates that a total of 660 SWM structures are located inside the Development District (see Exhibit 10 in Appendix 4). Of these 660 structures, 29 do not appear on the “SWM BMP Inspections” spreadsheet, which schedules and tracks all of the inspections conducted by the county since approximately January 1991 (see Exhibit 11 in Appendix 4).

The county has a backlog of approximately 112 SWM facilities in the Development District that were scheduled for inspection before May 2010 but have not yet been inspected. These 112 SWM structures are two or more three-year inspection cycles behind schedule. Of the 112 SWM structures, 82 are privately owned and maintained, while 30 are publicly owned and maintained by Charles County, the Charles County Board of Education, or the Charles County Volunteer Fire Department (see Exhibit 11 in Appendix 4). Of the 112 SWM structures in the backlog, 29 are pending their first year inspections, 26 are pending their triennial inspections, 27 require additional follow-up compliance inspections, and 30 are pending possible enforcement action (see Exhibit 11 and 12 in Appendix 4).

In addition, the county provided a table listing their overdue inspections sites, which are sites that have been scheduled for inspection but have not been inspected in the last three years (see Exhibit 13 in Appendix 4). Of the approximately 282 SWM sites overdue for inspection, approximately 214 sites are inside the Development District and the 214 sites include approximately 390 SWM structures (see Exhibit 13 and 10 in Appendix 4). Of the 390 SWM structures overdue for inspections in the Development District, 346 are privately owned and maintained, while 44 are publically owned and maintained by either Charles County or the Charles County Board of Education (see Exhibit 11, 12, and 13 in Appendix 4). Of the 390 SWM structures overdue for inspections in the Development District, 68 are pending their first year inspections, 93 are pending their triennial inspections, 197 require additional follow-up compliance inspections, and 32 are pending possible enforcement action (see Exhibit 11, 12, and 13 in Appendix 4).

Mr. Gary Davis, a contracted inspector for the county, stated that he can complete between 25 and 50 SWM structure inspections in one month including follow-up activities. However, he is responsible for all 1,266 SWM structures in Charles County and not just the 660 in the Development District (see Exhibit 10 in Appendix 4). He noted that the most frequent issues causing inspection delays and corrective action include identifying the appropriate owners and responsible parties and making contact with appropriate home owners associations and/or management companies to bring the SWM structures up to maintenance standards.

The EPA Inspection Team shadowed Mr. Davis while he conducted an inspection of the privately-owned and maintained dry pond and sand filter at the Truck'N America commercial site on June 26, 2013 located within the Development District at 2140 Old Washington Road, Waldorf, Maryland. According to the inspection schedule, the SWM structures on this site (#040097) were scheduled for inspection on November 21, 2008, but were not inspected prior to the EPA Inspection Team's visit (see Exhibit 11 in Appendix 4). The EPA Inspection Team observed that areas of the dry pond and sand filter had:

- Overgrown vegetation including trees (see Photographs 16 through 19 in Appendix 5);
- Fencing around the perimeter that was falling down (see Photograph 20 in Appendix 5); and
- Water pooling outside of the dry pond and not draining properly (see Photograph 21 in Appendix 5).

Lastly, Mr. Davis noted that he could not do a complete inspection due to the overgrowth and would give the site 90 days to mow the area before he came back for a reinspection. These observations were noted in the inspection form completed by Mr. Davis (see Exhibit 14 in Appendix 4).

The EPA Inspection Team also visited Pond 1 in Section 1 of the Ashford Oaks community on June 26, 2013 located within the Development District near the intersection of Ashford Drive and Ashford Circle, Waldorf, Maryland. Ashford Oaks contains five sections, each containing one or more wet or dry ponds, all of which are privately-owned and maintained. According to the inspection schedule, the two wet ponds in Section 1 (#880075) and the dry pond in Section 2A (#900129) were overdue for their triennial inspections, while the ponds in the remaining sections had outstanding follow-up compliance inspections (see Exhibit 13 in Appendix 4). The EPA Inspection Team shadowed Mr. Davis while he conducted an inspection of Pond 1. Mr. Davis stated that he had last visited the pond in 2012, but did not complete an inspection at the time. The team observed:

- A broken fence latch (see Photograph 22 in Appendix 5);

- Bare spots and erosion along the banks and inlet structures (see Photographs 23 through 25 in Appendix 5).
- Sediment accumulation near inlet structures (see Photograph 26 in Appendix 5);
- Sediment accumulation in the conveyance area in front of the weir wall. Sediment had accumulated above the height of the weir (see Photograph 27 in Appendix 5);
- Debris accumulation near the weir wall (see Photograph 28 in Appendix 5);
- Overgrown vegetation around the fence and on the slope behind the weir wall. Mr. Davis stated that the area was last cleared in 2008. Mr. Davis stated that all vegetation should be mowed to the toe of the slope and at least 20 feet back from the weir wall (see Photographs 29 through 31 in Appendix 5).

These observations were noted in the inspection form completed by Mr. Davis and the site was given 90 days to perform the necessary maintenance before reinspection (see Exhibit 15 in Appendix 4).

Part III.E.2 – Illicit Connection Detection and Elimination

Charles County shall maintain its illicit connection detection and elimination program. At a minimum, Charles County shall complete the following:

- a. Ensure that all discharges to the municipal separate storm sewer that are not composed entirely of stormwater are either permitted by MDE or eliminated;
- b. Annually, field screen at least 100 outfalls. Each outfall having a discharge or suspected of having an illicit discharge shall be sampled using a chemical test kit;
- c. Report annually the results of field screening activities on MDE's illicit connection detection database. The following narrative shall also be included: the number of illegal storm drain connections, the results of investigations made, any enforcement used, the disposition of all illegal storm drain system connections found as a result of this portion of Charles County's stormwater management program, and an updated list of targeted outfalls and an inspection schedule; and
- d. Identify all County-owned facilities requiring an NPDES discharge permit and submit documentation that a permit has been obtained for each. The implementation status of pollution prevention plans for these County-owned facilities shall also be submitted with the County's annual reports.

Observation 5: It appears that Charles County is not ensuring that all non-stormwater and non-permitted discharges to the MS4 are eliminated. Illicit connection detection and elimination issues at Outfalls 26 and 56 were first observed by the county in 2008 and were not resolved at the time of the EPA inspection (see Exhibit 16 in Appendix 4). Observed issues are often not resolved or inspected until the next year's annual inspection (see Exhibit 16 in Appendix 4). Ms. Karen Wiggen stated that the county defers illicit discharge investigations and follow up actions associated with businesses

to MDE rather than enforcing the permit at the county level (see Complaint Numbers 3, 5, 7, 10, 11, 20, 24, 29, 35, and 36 in Exhibit 16 in Appendix 4). When an illicit discharge is observed or reported, the county follows protocols outlined in the Water Quality Violation Procedures document that indicates which agency is responsible for follow-up inspections and enforcement (see Exhibit 17 in Appendix 4). The county's Storm Drainage Ordinance gives the county inspection and enforcement authority to stop illicit discharges (see Exhibit 18 in Appendix 4). The county has no record of issuing a fine for an illicit discharge since the start of the permit term. The EPA Inspection Team was told by the county that there are no instant fines that can be issued and that the county would need to go through the legal process in order to enforce monetary penalties.

While inspecting Outfall 26 on June 26, 2013, the EPA Inspection Team observed wash water entering a site storm drain at the Speedy Clean Car Wash located at 1320 Smallwood Drive West (see Photograph 32 in Appendix 5). This illicit discharge has been an ongoing issue since 2008 when detergents were detected at the outfall (see Exhibit 19 in Appendix 4). Charles County personnel did not take enforcement action while on site with the EPA Inspection Team and said that the issue was being handled by MDE.

The EPA Inspection Team observed a white residue (see Photograph 33 in Appendix 5) at Outfall 56 during a site visit on June 26, 2013. Excessive algae and a white residue were observed by the county at Outfall 56 during inspections in 2008, 2010, 2011, and 2013 (see Complaint Numbers 5, 19, and 30 in Exhibit 16 in Appendix 4). A windshield survey of the commercial shopping center located upstream was not performed until the 2013 outfall inspection (see Exhibit 20 in Appendix 4). During the 2013 windshield survey performed by the county's contractor, KCI, poor housekeeping for grease trap management was observed near storm inlets in the Smallwood Village Shopping Center that lead to Outfall 56. The EPA Inspection Team performed a site visit of the Smallwood Village Shopping Center and observed dumpsters with open lids. Debris and pavement stains were observed near storm drains (see Photograph 34 in Appendix 5), which is consistent with what was observed during KCI's inspection on April 16, 2013 (see Exhibit 20 in Appendix 4).